

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA
MARTINSBURG**

UNITED STATES OF AMERICA,

Plaintiff,

v.

**CRIMINAL ACTION NO. 3:13-CR-11-2
(JUDGE GROH)**

CHERA LADENE SCHLEY-COLE,

Defendant.

ORDER CONTINUING TRIAL AND PRETRIAL

This matter is now before the Court for consideration of Defendant Chera Ladene Schley-Cole's Motion to Continue the Pretrial Conference and Trial [Doc. 23] filed on July 23, 2013. For the reasons that follow, Defendant's motion will be **GRANTED**.

On July 11, 2013, the Court appointed Nicholas J. Compton, Assistant Federal Public Defender, to represent Defendant's legal interest. However, Defendant's current counsel, Sherman L. Lambert, was recently retained by Defendant, and he is waiting to receive Defendant's case file from former legal counsel. Additionally, Defendant's counsel states that the co-defendant in this matter, Arthur Lee Walker, is currently incarcerated in the Commonwealth of Pennsylvania and Defendant's counsel's investigators need time to interview him and other potential witnesses. Therefore, Defendant's counsel requests a November 2013 trial date, so he can adequately investigate and evaluate all relevant matters in the case. The Government's counsel, Paul T. Camilletti, does not object to a continuance.

After careful review of the grounds offered in support, the Court finds good cause

to grant Defendant's motion to continue. In so doing, this Court has considered the factors outlined in 18 U.S.C. § 3161, and now finds that the ends of justice served by granting the continuance outweigh the best interest of the public and the Defendant in a speedy trial. Specifically, the Court finds this time shall be excluded from speedy trial computation because "the failure to grant such a continuance . . . would deny counsel for the defendant . . . the reasonable time necessary for effective preparation, taking into account the exercise of due diligence." See **18 U.S.C § 3161(h)(B)(iv)**. Accordingly, Defendant's Motion to Continue [**Doc. 23**] is **GRANTED**, and the **Trial** in this matter will commence on **November 19, 2013 at 9:00 a.m.** in the Martinsburg District Judge Courtroom. The **Pretrial Conference** is also **CONTINUED** and will commence on **November 14, 2013 at 9:30 a.m.** in the Martinsburg District Judge Courtroom.

It is so **ORDERED**.

The Clerk is directed to transmit copies of this Order to all counsel of record herein.

DATED: July 25, 2013


GINA M. GROH
UNITED STATES DISTRICT JUDGE